

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: BENJAMIN G. SHINDY	:	CHAPTER 13
Debtor	:	
	:	
CHARLES J. DEHART, III	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
BENJAMIN G. SHINDY	:	
Respondent	:	CASE NO. 4-14-bk-02179-JJT

TRUSTEE'S OBJECTION TO MOTION OF DEBTOR FOR
AUTHORIZATION TO SELL REAL ESTATE

AND NOW, this 2nd day of October, 2017, comes Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, by and through his attorney, Agatha R. McHale, and objects to Debtors' Motion for Authorization to Sell Real Estate for the following reasons:

1. On September 27, 2017, debtor filed a Motion for Authorization to Sell Real Estate.
2. Debtor requests that the Court enter an Order approving the sale and allowing payment of closing costs; realtor's commission of five (5%) percent, Benjamin's Construction, Inc., on account of post-petition claim against debtor for labor and materials which increased the value of the property, and the balanced to debtor.
3. Benjamin Construction has not filed a post-petition claim.
4. Debtor has not exempted his interest in the property.

WHEREFORE, Movant respectfully prays that this Honorable Court set a hearing on the Motion and disallow the payment to Benjamin Construction, Inc., absent an allowed claim to pay the same and to disallow the distribution of the remaining proceeds to debtor.

Respectfully submitted,

Charles J. Dehart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717)566-6097

BY: /s/Agatha R. McHale
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 2nd day of October, 2017, I hereby certify that I have served the within Objection electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Donald Hahn, Esquire
P.O. Box 209
Bellefonte, PA 16823

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee